

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:) CASE NO.: 19-11245-MDC
)
MELVIN CHAPPELL, JR., and)
CHARLENE D.)
GRACE-CHAPPELL,)
Debtors) CHAPTER 13

STIPULATION

COME NOW, this 14th day of September, 2020, Debtors, Melvin Chappell, Jr. and Charlene D. Grace-Chappell, by and through their attorney, Roger V. Ashodian, Esquire, and Capital One Auto Finance, a division of Capital One, N.A. ("COAF") by and through its attorney, Mester & Schwartz, P.C., hereby stipulate the following terms of settlement of the Motion to Enforce Agreement to Compromise Balance Due Per "Offer to Resolve Your Account" Dated February 5, 2019 and Acceptance of Offer, or in the Alternative, to Determine the Value of Security Pursuant to 11 U.S.C. §506(a) and Bankruptcy Rule 3012, And Objection to Proof of Claim No. 6 Filed by Capital One Bank (USA), N.A.:

WHEREAS the Debtors own a 2008 GMC Light Duty Denali Utility 4D XL AWD, 1GKFK66888J165566 ("vehicle"); and

WHEREAS COAF has a lien on the vehicle; and

WHEREAS the Debtors have filed a Motion to Enforce Agreement to Compromise Balance Due Per "Offer to Resolve Your Account" Dated February 5, 2019 and Acceptance of Offer, or in the Alternative, to Determine the Value of Security Pursuant to 11 U.S.C. §506(a) and Bankruptcy Rule 3012, And Objection to Proof of Claim No. 6 Filed by Capital One Bank (USA), N.A. ("Motion"); and

WHEREAS the Debtors and COAF seek to resolve the Motion; it is hereby stipulated and agreed that:

1. The Chapter 13 Trustee shall disburse \$5,852.09 in a lump sum to COAF from funds tendered by the Debtors immediately.
2. COAF's receipt of these disbursement in good funds shall satisfy COAF's claim in full with relation to the vehicle.
3. Upon satisfaction of COAF's claim, COAF shall immediately take all reasonable steps to release its lien.
4. This Stipulation is a supplement and in addition to the Contract between the parties and not in lieu thereof.
5. Facsimile signatures shall be accorded the same force and effect as an original signature, and may be submitted to the Court.

BY THE COURT:

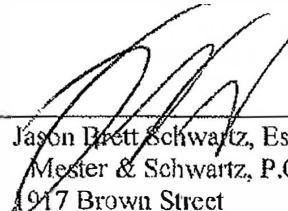


Magdeline D. Coleman
CHIEF U.S. BANKRUPTCY JUDGE

**Creditor: Capital One Auto Finance, a division of
Capital One, N.A.**

By Counsel: Mester & Schwartz, P.C.

By:



Jason Brett Schwartz, Esquire
Mester & Schwartz, P.C.
1917 Brown Street
Philadelphia, PA 19107
(267) 909-9036

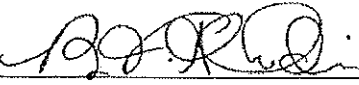
DATED:

8/15/20

Seen and agreed to – We hereby consent to the form and entry of the foregoing Order.

Debtors: Melvin Chappell, Jr. and Charlene D. Grace-Chappell

By Counsel for Debtor: Regional Bankruptcy Center of Southeastern PA, P.C.

By: 

Roger V. Ashodian, Esquire
101 West Chester Pike, Suite 1A
Havertown, PA 19083
(610) 446-6800

DATED: June 8, 2020

No objection:

By: /s/ LeeAne O. Huggins Without Prejudice to Any Trustee Rights or Remedies

LeeAne O. Huggins, Esquire, Staff Attorney
William C. Miller, Esquire
Chapter 13 Standing Trustee
1234 Market Street – Suite 1813
P.O. Box 1229
Philadelphia, PA 19105
(215) 627-1377

DATED: September 10, 2020